

Service Date: November 2, 1999

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

* * * * *

IN THE MATTER of the Complaint of)	UTILITY DIVISION
)	
Timothy D. Geiszler, <i>pro se</i> , joined by)	
Michael J. Marbut, Charles and Suzanne Nuanez,)	
John D. and Doris McBride, William E. Bray,)	
Bruno Friia, Marilyn Phillips, <i>et al.</i>)	
Complainants)	DOCKET NO. D99.8.191
vs.)	
Jack L. Green, D/B/A Grant Creek Waterworks)	ORDER NO. 6206
Defendant)	

ORDER DISMISSING COMPLAINT

On August 6, 1999, the Montana Public Service Commission (Commission) received a Complaint from Timothy D. Geiszler, *pro se*, a customer of Jack L. Green, II, doing business as Grant Creek Waterworks northwest of Missoula, Montana. A number of other customers of Grant Creek Waterworks joined in the complaint.

The Complaint alleged that Grant Creek Waterworks had failed to provide adequate service and facilities, thus breaching the duty of a public utility under Title 69, Chapter 3, Montana Code Annotated (MCA). The Commission notified Grant Creek Water Works of the Complaint and directed the water utility to satisfy the Complainants or alternatively to respond to the Complaint.

On October 21, 1999, Timothy D. Geiszler filed a Motion to Dismiss the Complaint because an accommodation and accord was reached between the Complainant and the Defendant. The Commission takes administrative notice of its approval of the transfer of the assets and operating responsibilities from Grant Creek Water Works to Grant Creek Water Users Association, Docket No. D.99.9.219, Order No. 6207, issued at the same time as this Order Dismissing Complaint. A condition of the sale and purchase of the public utility assets was dismissal of this Complaint.

WHEREFORE, THE COMMISSION DISMISSES THE COMPLAINT AND CLOSES THIS DOCKET.

DONE AND DATED this 1st of November, 1999
BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

DAVE FISHER, Chairman

NANCY MCCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See ARM 38.2.4806.